

Appl. No. : 09/709,105  
Filed : November 10, 2000

### **REMARKS**

Prior to entry of the foregoing amendments, Claims 2-5 and 22-30 were pending in the present application. Initially, Applicant would like to thank Examiner Davis for allowing Claims 4, 5, and 22-30 in the Office Action mailed December 4, 2003.

During a telephone conference with the Attorney of Record on November 19, 2003, the Examiner indicated that Claims 2 and 3 would be allowable if any of the following suggested elements were incorporated into Claim 2:

- “wherein the step of adjusting the boring angle includes advancing or retracting a sheath relative to said boring head” or
- “plurality of diverging trans-sacral axial bores.”

Although Applicant respectfully disagrees with the propriety of the rejections entered in connection these claims, Applicant has amended Claim 2 to incorporate the first of the suggested elements and added new Claim 51 which incorporates the second of the suggested elements, thereby achieving the procedural objective of allowing these and the rest of the claims to proceed toward issuance. Applicant reserves the right to pursue claims of the same or similar scope to those amended herein, in one or more continuing patent applications.

Also, Claim 23 has been amended to correct a grammatical and formatting error, and not for reasons that have to do with patentability of the claimed subject matter.

In view of the foregoing, Applicant respectfully submits that all pending claims of the present application are in condition for allowance, and such action is earnestly solicited. If, however, any questions remain, the Examiner is cordially invited to contact the undersigned so that any such matter may be promptly resolved.



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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 3/3/2004

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